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From: Jewett, David
Sent: Mon 6/24/2013 10:23:02 PM
Subject: Fw: National Review: The EPA Plants a Story

FYI

From: Mylott, Richard
Sent: Monday, June 24, 2013 12:59:44 PM
To: Wilkin, Rick; Digiulio, Dominic; Jewett, David
Subject: FW: National Review: The EPA Plants a Story

Fyi.

From: Mylott, Richard
Sent: Monday, June 24, 2013 11:59 AM
To: Cantor, Howard; McGrath, Shaun; Schmit, Ayn; Oberley, Gregory; Parker, Robert; Fells, Sandy; Matsumoto, Kimi; Ward, W. Robert; Hestmark, Martin; Delp, Robert
Subject: National Review: The EPA Plants a Story

June 24, 2013 4:00 AM

The EPA Plants a Story

And in the process poisons the public debate about fracking.

By Jillian Kay Melchior

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Hydraulic fracturing facility in Rifle, Colo.

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Far be it from the Environmental Protection Agency to admit it was wrong — but late last week, it subtly withdrew from a once-flashy investigation regarding whether hydraulic fracturing contaminated groundwater in the tiny town of Pavillion, Wyo. Never has backpedaling been such an effective form of transportation.

In December 2011, the EPA released a draft report of a study it conducted in Wyoming, eliciting a furor of media attention. The *New York Times* reported that “chemicals used to hydraulically fracture rocks in drilling for natural gas in a remote valley in central Wyoming are the likely cause of contaminated local water supplies, federal regulators said.” The *Financial Times* ran a story headlined “EPA blames fracking for Wyoming pollution.” National Public Radio announced that “for the first time, federal environmental regulators have made a direct link between the controversial drilling practice known as hydraulic fracturing and groundwater

contamination.” And the *Salt Lake Tribune* ran an editorial subtitled “EPA report shows water poisoned.”

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In reality, the study conclusively proved no such thing. The research was fundamentally flawed, with the conclusion being derived less from science than from politics.

For starters, the EPA’s study was released in preliminary form, and it was never peer-reviewed. In fact, the EPA went out of its way to ensure that Wyoming’s governor and state agencies didn’t have a chance to look it over before it became publicly available. And when the study was released, the Wyoming Department of Environmental Quality and the Wyoming Bureau of Land Management both expressed significant concerns about the EPA’s conclusions.

Had professional scientists had a chance to review the EPA’s preliminary study before it hit the headlines, they doubtless would have complained that only four samples were examined — not nearly enough to be scientifically definitive.

Also, the EPA had failed to find contamination in the existing water sources in Pavillion, so it drilled its own wells — but went far deeper into the earth, into *natural* hydrocarbon-bearing foundations. As Encana, the developer, wrote at the time, “Natural gas developers didn’t put the natural gas at the bottom of the EPA’s deep monitoring wells, nature did.” So when the test results showed hydrocarbons, that said nothing about fracking and much about the EPA’s scientific sloppiness.

Furthermore, the methods and materials used to drill the EPA’s sample wells may well have introduced chemical contaminants.

And different labs reached contradictory conclusions about the small samples the EPA collected. One lab even reported that the “blank” sample used solely for comparison purposes was tainted.

But the details of how recklessly the EPA conducted its study were omitted in many of the sensational reports that followed the draft report’s release.

And the few journalistic accounts that acknowledged the study’s problems were dismayed about the implications of its very public debut. Wyoming’s *Casper Tribune* wrote in an editorial: “You think Pavillion water is a mess? Try setting the record straight if the EPA’s report is eventually changed or discredited after scientific review. . . . The EPA may have poisoned the public debate by releasing its [preliminary] report.”

That assessment is proving prophetic. EPA reps said this week that although the agency “stands behind its work and data,” the study won’t be finalized, and the Obama administration won’t rest on the report’s conclusions. That’s a nice talking point, but if the Pavillion study could actually stand up to scrutiny, you can bet the EPA would be using it to act — and to act boldly.

But in the end, it didn’t matter much whether fracking had actually contaminated Wyoming’s

water; having the public *think* it did sufficed for the EPA. So go the cynical politics of an agency with an agenda.

..... *Jillian Kay Melchior is a Thomas L. Rhodes Fellow for the Franklin Center for Government and Public Integrity.*